IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.9974 of 2006

Dated: February 19, 2007

Between:

St. Xavier (Telugu Medium) High School,
Eluru, West Godavari District, and another.

… Petitioners

And

The Government of Andhra Pradesh, rep. by its
Principal Secretary, School Education, Secretariat,
Hyderabad, and others.

… Respondents

Order:

This Writ Petition has been filed questioning the *vires* of the rules framed under G.O.Ms.No.1, Education dated 01-01-1994, G.O.Ms.No.103, Education dated 05-08-2005 and also Proceedings Rc.No.148 /A3/2005 dated 03-01-2006, issued by the fifth respondent.

On the ground that certain teachers were found surplus in the rationalization scheme, they were deputed to petitioners-schools. However, petitioners did not admit those candidates.

The scheme of rationalization was under challenge before this in W.A.No.1578 of 2005 and batch, wherein this court by order dated 29-12-2006, has set aside the exercise adopted for such rationalization.

Following the ratio laid down in the aforesaid order, the impugned proceedings are set aside. However, it is made clear that this order shall not preclude the competent authorities from undertaking fresh exercise for rationalization, which may lead to declaration of certain teachers as surplus and for absorption of such surplus teachers.

The Writ Petition is allowed to the extent indicated above. No costs.

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JUSTICE R. SUBHASH REDDY.

February 19, 2007
MRR